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**RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE**

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALONSO CALERO-LOPEZ,

Defendant.

No. CR 08-70029 HRL

**STIPULATION TO EXTEND TIME FOR
PRELIMINARY HEARING AND
EXCLUDE TIME; ~~PROPOSED~~ ORDER**

Hon. Howard R. Lloyd

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Thursday, July 17, 2008, at 1:30 p.m. be continued to Thursday, August 21, 2008, at 1:30 p.m. The continuance is requested to allow time for further pre-charge negotiation and defense investigation.

The parties further agree that time should be excluded under the Speedy Trial Act from July 17, 2008 to August 21, 2008, to allow time for defense investigation and preparation, and because the ends of justice outweigh the defendant's and the public's need for a speedy trial.

Finally, in order to allow additional time for pre-charge negotiations, the parties also agree that time should be extended for the defendant's preliminary hearing pursuant to Federal

STIPULATION TO EXTEND PRELIM.
HEARING DATE; [PROPOSED] ORDER
No. CR 08-70029 HRL

1 Rule of Criminal Procedure 5.1(d), taking into account the public interest in the prompt
2 disposition of criminal cases.

3
4 Dated: 7/14/08

/s/
LARA S. VINNARD
Assistant Federal Public Defender

5
6 Dated: 7/15/08

/s/
TOM O'CONNELL
Assistant United States Attorney

7
8
9 **ORDER**

10 The parties have jointly requested a continuance of the hearing set for July 17, 2008, to
11 allow time for continued pre-charge negotiation and continued defense investigation.

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
13 presently set for July 17, 2008 at 1:30 p.m. be continued to August 21, 2008, at 1:30 p.m.

14 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
15 from July 17, 2008, to August 21, 2008, shall be excluded from the period of time within which
16 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

17 Finally, due to the parties' efforts to engage in pre-charge negotiations, it is ORDERED
18 that time should be extended for the defendant's preliminary hearing pursuant to Federal Rule of
19 Criminal Procedure 5.1(d), taking into account the public interest in the prompt disposition of
20 criminal cases.

21 Dated:

22 7/16/08


HOWARD R. LLOYD
United States Magistrate Judge